

**SENATE JOURNAL
65TH LEGISLATURE
TWENTY-SECOND LEGISLATIVE DAY**

Helena, Montana
January 31, 2017

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Sales presiding. Invocation by Senator Connell. Pledge of Allegiance to the Flag.

Roll Call. Forty-eight members present, Senator Phillips excused. Quorum present.

BILLS AND JOURNALS (Keenan, Chair): 1/31/2017

Correctly printed: **SB 59, SB 60, SB 166, SB 167, SB 168, SB 169, SB 170, SJ 7, SR 22, SR 23, SR 24, SR 25, HB 40, HB 74, HB 88, HB 120, HB 122, HB 132, HB 197.**

Correctly engrossed: **SB 48, SB 72, SB 135.**

Correctly enrolled: **SB 5, SB 70.**

Transmitted to the House: **SB 67, SB 71, SB 82, SB 100, SB 107, SJ 3, HB 39, HB 42.**

REPORTS OF STANDING COMMITTEES

EDUCATION AND CULTURAL RESOURCES (Salomon, Chair): 1/30/2017
SB 135, introduced bill, be amended as follows:

1. Page 1, line 9.

Strike: "The legislature"

Insert: "the Legislature"

2. Page 1, line 30.

Following: "organization."

Insert: "The office of public instruction shall annually notify high school and K-12 school districts during the month of August in writing or electronically of the availability and any updating of the guidance and program of study under subsection (1)."

3. Page 2, line 5.

Strike: "instruction"

Insert: "study"

And, as amended, do pass.

JUDICIARY (Regier, Chair): 1/31/2017
SB 97, introduced bill, be amended as follows:

1. Page 3, line 9.

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SENATE JOURNAL
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

Following: "adjudicating"

Strike: ", "

And, as amended, do pass.

SB 117, do pass.

LOCAL GOVERNMENT (Webb, Chair):

1/30/2017

SB 142, do pass.

HB 221, be concurred in.

NATURAL RESOURCES (Vincent, Chair):

1/30/2017

SB 48, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Strike: "A CONTINGENT"

Strike: "DATE"

Insert: "DATES"

2. Page 1, line 19.

Strike: "Contingent effective date"

Insert: "Effective date -- contingency"

3. Page 1, line 19 through page 20.

Strike: "contingent" on line 19 through "order" on line 20

Insert: "on the later of:

(1) July 1, 2019; or

(2) the date that a U.S. supreme court order is issued"

And, as amended, do pass.

PUBLIC HEALTH, WELFARE AND SAFETY (Howard, Chair):

1/30/2017

SB 96, introduced bill, be amended as follows:

1. Title, page 1, line 11.

Following: "SECTIONS"

Insert: "33-18-201, 33-18-209, 33-18-242,"

2. Page 1, line 15.

Insert: "**Section 1.** Section 33-18-201, MCA, is amended to read:

"**33-18-201. Unfair claim settlement practices prohibited.** A person may not, with such frequency as to indicate a general business practice, do any of the following:

(1) misrepresent pertinent facts or insurance policy provisions relating to coverages at issue;

(2) fail to acknowledge and act reasonably promptly upon communications with respect to

SENATE JOURNAL
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

claims arising under insurance policies;

(3) fail to adopt and implement reasonable standards for the prompt investigation of claims arising under insurance policies;

(4) refuse to pay claims without conducting a reasonable investigation based upon all available information;

(5) fail to affirm or deny coverage of claims within a reasonable time after proof of loss statements have been completed;

(6) neglect to attempt in good faith to effectuate prompt, fair, and equitable settlements of claims in which liability has become reasonably clear;

(7) compel insureds to institute litigation to recover amounts due under an insurance policy by offering substantially less than the amounts ultimately recovered in actions brought by the insureds;

(8) attempt to settle a claim for less than the amount to which a reasonable person would have believed the person was entitled by reference to written or printed advertising material accompanying or made part of an application;

(9) attempt to settle claims on the basis of an application that was altered without notice to or knowledge or consent of the insured;

(10) make claims payments to insureds or beneficiaries not accompanied by statements setting forth the coverage under which the payments are being made;

(11) make known to insureds or claimants a policy of appealing from arbitration awards in favor of insureds or claimants for the purpose of compelling them to accept settlements or compromises less than the amount awarded in arbitration;

(12) delay the investigation or payment of claims by requiring an insured, claimant, or physician of either to submit a preliminary claim report and then requiring the subsequent submission of formal proof of loss forms, both of which submissions contain substantially the same information;

(13) fail to promptly settle claims, if liability has become reasonably clear, under one portion of the insurance policy coverage in order to influence settlements under other portions of the insurance policy coverage; ~~or~~

(14) fail to promptly provide a reasonable explanation of the basis in the insurance policy in relation to the facts or applicable law for denial of a claim or for the offer of a compromise settlement; ~~or~~

(15) fail to comply with the requirements of [section 9]."

Insert: "Section 2. Section 33-18-209, MCA, is amended to read:

"33-18-209. Exceptions to discrimination and rebates provision. Nothing in 33-18-206 and 33-18-208 shall be construed as including within the definition of discrimination or rebates any of the following practices:

(1) in the case of any contract of life insurance or life annuity, paying bonuses to policyholders or otherwise abating their premiums in whole or in part out of surplus accumulated from nonparticipating insurance, provided that any such bonuses or abatement of premiums shall be fair and equitable to policyholders and for the best interests of the insurer;

(2) in the case of life insurance policies issued on the industrial debit, preauthorized check, bank draft, or similar plans, making allowance to policyholders who have continuously for a specified period made premium payments directly to an office of the insurer or by preauthorized check, bank draft, or similar plans, in an amount which fairly represents the saving in collection

SENATE JOURNAL
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

expense;

(3) readjustment of the rate of premium for a group insurance policy based on the loss or expense experience thereunder, at the end of the first or any subsequent policy year of insurance thereunder, which may be made retroactive only for such policy year;

(4) reduction of premium rate for policies of large amount but not exceeding savings in issuance and administration expenses reasonably attributable to such policies as compared with policies of similar plan issued in smaller amounts;

(5) issuing life or disability insurance policies on a salary savings or payroll deduction plan at reduced rate reasonably commensurate with the savings made by the use of such plan;

(6) providing incentive payments pursuant to [section 10].""

Insert: "**Section 3.** Section 33-18-242, MCA, is amended to read:

"33-18-242. Independent cause of action -- burden of proof. (1) An insured or a third-party claimant has an independent cause of action against an insurer for actual damages caused by the insurer's violation of subsection (1), (4), (5), (6), (9), ~~or~~ (13), or (15) of 33-18-201.

(2) In an action under this section, a plaintiff is not required to prove that the violations were of such frequency as to indicate a general business practice.

(3) An insured who has suffered damages as a result of the handling of an insurance claim may bring an action against the insurer for breach of the insurance contract, for fraud, or pursuant to this section, but not under any other theory or cause of action. An insured may not bring an action for bad faith in connection with the handling of an insurance claim.

(4) In an action under this section, the court or jury may award such damages as were proximately caused by the violation of subsection (1), (4), (5), (6), (9), ~~or~~ (13), or (15) of 33-18-201. Exemplary damages may also be assessed in accordance with 27-1-221.

(5) An insurer may not be held liable under this section if the insurer had a reasonable basis in law or in fact for contesting the claim or the amount of the claim, whichever is in issue.

(6) (a) An insured may file an action under this section, together with any other cause of action the insured has against the insurer. Actions may be bifurcated for trial where justice so requires.

(b) A third-party claimant may not file an action under this section until after the underlying claim has been settled or a judgment entered in favor of the claimant on the underlying claim.

(7) The period prescribed for commencement of an action under this section is:

(a) for an insured, within 2 years from the date of the violation of 33-18-201; and

(b) for a third-party claimant, within 1 year from the date of the settlement of or the entry of judgment on the underlying claim.

(8) As used in this section, an insurer includes a person, firm, or corporation utilizing self-insurance to pay claims made against them.""

Renumber: subsequent sections

3. Page 2, line 24.

Following: "(5)"

Insert: "(a)"

4. Page 2, line 25 through line 26.

Strike: "entity" on line 25 through "111-152," on line 26

SENATE JOURNAL
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

5. Page 2, line 28.

Following: line 28

Insert: "(b) The term includes the state employee group insurance program established in Title 2, chapter 18, part 8, and the Montana university system group benefit plans established in Title 20, chapter 25, part 13."

6. Page 2, line 30.

Strike: "7"

Insert: "10"

7. Page 3, line 2.

Strike: "7"

Insert: "10"

8. Page 3, line 11.

Strike: "as provided"

Insert: "that are not prohibited"

9. Page 3, line 19.

Strike: "facility"

10. Page 3, line 21.

Strike: "facility"

11. Page 3, line 27.

Strike: "facility"

12. Page 4, line 5.

Strike: "8"

Insert: "11"

13. Page 5, line 7.

Following: "as if"

Insert: "it"

14. Page 5, line 11.

Strike: "7 through 10"

Insert: "10 through 13"

15. Page 5, line 15 through line 16.

Strike: "7 through 10"

Insert: "10 through 13"

16. Page 6, line 11.

Following: "estimate."

SENATE JOURNAL
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

Insert: "(5) Failure by a health insurer to adhere to the requirements of this section is an unfair trade practice for the purposes of Title 33, chapter 18."

17. Page 6, line 20.

Following: "payment"

Insert: "or other acceptable form of payment"

18. Page 7, line 4.

Strike: "may"

Insert: "shall"

19. Page 7, line 6.

Following: "approved."

Insert: "If the commissioner takes no action on the filing within 60 days of receipt of the filing, the filing is considered to be approved."

20. Page 7, line 15.

Strike: "7"

Insert: "10"

21. Page 7, line 23.

Strike: "7"

Insert: "10"

22. Page 8, line 6.

Following: line 6

Insert: "(3) acceptable forms of incentive payments;"

Renumber: subsequent subsections

23. Page 8, line 7.

Following: "description;"

Strike: "and"

24. Page 8, line 8.

Strike: "[section 9]"

Insert: "[section 12]; and (6) content and functionality of websites, interactive mechanisms, or third-party products for shoppable health care services established pursuant to [section 11]"

25. Page 8, line 12.

Strike: "7"

Insert: "10"

26. Page 8, line 17.

Strike: "7 through 10"

Insert: "10 through 13"

SENATE JOURNAL
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

27. Page 8, line 19.

Strike: "7 through 10"

Insert: "10 through 13"

28. Page 8, line 20.

Strike: "11"

Insert: "14"

29. Page 8, line 21.

Strike: "11"

Insert: "14"

And, as amended, do pass.

TAXATION (Blasdel, Chair):

1/31/2017

SR 9, be adopted.

SR 12, be adopted.

HB 18, be amended as follows:

1. Page 2, line 22.

Following: "sale"

Insert: ", that failure to respond will result in loss of property,"

And, as amended, be concurred in.

HB 43, be concurred in.

HB 63, be concurred in.

HB 115, be concurred in.

Without objection, committee reports were adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in and returned to the Senate:

1/30/2017

SB 5, introduced by T. Facey

SB 70, introduced by G. Vuckovich

House bills passed and transmitted to the Senate for concurrence:

1/30/2017

HB 202, introduced by K. Wagoner

HB 214, introduced by B. Brown

HB 241, introduced by A. Doane

HB 267, introduced by F. Garner

SENATE JOURNAL
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

House joint resolutions passed and transmitted to the Senate for concurrence: 1/30/2017

HJ 1, introduced by K. Kelker

HJ 3, introduced by Z. Brown

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 171, introduced by C. Smith, referred to Fish and Game.

SB 172, introduced by M. Lang, A. Olszewski, referred to Judiciary.

SB 173, introduced by J. Cohenour, T. Facey, S. Hinebauch, E. McClafferty, M. McNally, M. Phillips, C. Smith, C. Vincent, J. Welborn, K. White, referred to Fish and Game.

SB 174, introduced by R. Webb, referred to Judiciary.

SB 175, introduced by R. Webb, referred to Judiciary.

SB 176, introduced by R. Webb, referred to Business, Labor, and Economic Affairs.

SB 177, introduced by R. Webb, referred to Local Government.

SB 178, introduced by N. Swandal, referred to State Administration.

The following Senate resolutions were introduced, read first time, and referred to committees:

SR 26, introduced by D. Brown, referred to State Administration.

SR 27, introduced by D. Brown, referred to State Administration.

SR 28, introduced by D. Brown, referred to State Administration.

SR 29, introduced by B. Hoven, referred to Agriculture, Livestock and Irrigation.

SR 30, introduced by B. Hoven, referred to Agriculture, Livestock and Irrigation.

SR 31, introduced by B. Hoven, referred to Agriculture, Livestock and Irrigation.

SR 32, introduced by D. Salomon, referred to Education and Cultural Resources.

SR 33, introduced by D. Salomon, referred to Education and Cultural Resources.

SR 34, introduced by D. Salomon, referred to Education and Cultural Resources.

SR 35, introduced by D. Salomon, referred to Education and Cultural Resources.

The following House bills were introduced, read first time, and referred to committees:

HB 202, introduced by K. Wagoner, referred to Judiciary.

HB 214, introduced by B. Brown, referred to Fish and Game.

HB 241, introduced by A. Doane, K. Abbott, F. Anderson, J. Bachmeier, N. Ballance, D. Bartel, B. Beard, B. Bennett, S. Berglee, L. Bishop, R. Brodehl, B. Brown, Z. Brown, T. Burnett, V. Court, W. Curdy, A. Curtis, G. Custer, K. Dudik, M. Dunwell, J. Eck, J. Ellis, J. Essmann, D. Fern, R. Fitzgerald, J. Fleming, K. Flynn, M. Funk, W. Galt, F. Garner, C. Glimm, E. Greef, B. Grubbs, J. Hamilton, B. Hamlett, B. Harris, D. Hayman, A. Hertz, G. Hertz, E. Hill Smith, K. Holmlund, M. Hopkins, T. Jacobson, D. Jones, J. Karjala, J. Keane, K. Kelker, G. Kipp, J. Knokey, C. Knudsen, S. Lavin, D. Lenz, D. Loge, R. Lynch, F. Mandeville, T. Manzella, K. McCarthy, N. McConnell, W. McKamey, S. Morigeau, D. Mortensen, M. Noland, J. O'Hara, A. Olsen, J. Patelis, R. Peppers, Z.

SENATE JOURNAL
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

Perry, G. Pierson, J. Price, A. Redfield, K. Regier, M. Regier, V. Ricci, A. Rosendale, M. Ryan, S. Sales, C. Schreiner, R. Shaw, L. Sheldon-Galloway, D. Skees, B. Smith, S. Staffanson, S. Stewart-Peregoy, K. Swanson, J. Trebas, B. Tschida, B. Usher, S. Vinton, K. Wagoner, P. Webb, S. Webber, T. Welch, K. White, J. Windy Boy, T. Woods, D. Zolnikov, Cook, Cuffe, and Ehli, referred to Highways and Transportation.

HB 267, introduced by F. Garner, D. Fern, E. Greef, referred to Highways and Transportation.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJ 1, introduced by K. Kelker (by request of the School Funding Interim Commission), referred to Education and Cultural Resources.

HJ 3, introduced by Z. Brown, A. Redfield, C. Vincent, Redfield, Redfield, Vincent, referred to Natural Resources.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Fielder in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 27 - Senator Thomas moved **SB 27** do pass. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.

Total 32

Nays: Barrett, Caferro, Cohenour, Facey, Gross, MacDonald, Malek, McClafferty, McNally, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.

Total 16

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

HB 16 - Senator Facey moved **HB 16** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang,

SENATE JOURNAL
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Phillips.
Total 1

HB 25 - Senator D. Brown moved **HB 25** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Phillips.
Total 1

HB 113 - Senator Facey moved **HB 113** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.

SENATE JOURNAL
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

Total 0

Excused: Phillips.

Total 1

SB 124 - Senator McClafferty moved **SB 124** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hoven, Jones, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Swandal, Tempel, Thomas, Vuckovich, Welborn, Whitford, Wolken.

Total 36

Nays: Brown, Fielder, Hinebauch, Hinkle, Howard, Kary, Olszewski, Smith C, Vance, Vincent, Webb, Mr.President.

Total 12

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

SB 12 - Senator Connell moved **SB 12** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

SB 50 - Senator Pomnichowski moved **SB 50** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald,

SENATE JOURNAL
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Thomas, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 45

Nays: Brown, Tempel, Vance.

Total 3

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

SB 51 - Senator Facey moved **SB 51** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

SB 91 - Senator Hinkle moved **SB 91** do pass. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Caferro, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Malek, McNally, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Mr.President.

Total 39

Nays: Barrett, Cohenour, Facey, Gross, MacDonald, McClafferty, Pomnichowski, Whitford, Wolken.

Total 9

Absent or not voting: None.

SENATE JOURNAL
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

Total 0

Excused: Phillips.

Total 1

Majority Leader Thomas moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Chair Fielder moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr. President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 59 passed as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken.

Total 45

Nays: Hinebauch, Vance, Mr. President.

Total 3

Absent or not voting: None.

SENATE JOURNAL
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

Total 0

Excused: Phillips.

Total 1

HB 40 concurred in as follows:

Yeas: Barrett, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hoven, Howard, Jones, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Swandal, Tempel, Thomas, Vincent, Vuckovich, Welborn, Whitford, Wolken.

Total 37

Nays: Ankney, Blasdel, Brown, Buttrey, Hinkle, Kary, Regier, Smith C, Vance, Webb, Mr.President.

Total 11

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

HB 74 concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

HB 88 concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang,

SENATE JOURNAL
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Phillips.
Total 1

HB 120 concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Phillips.
Total 1

HB 122 concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.

SENATE JOURNAL
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

Total 0

Excused: Phillips.

Total 1

HB 132 concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

HB 197 concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

SENATE JOURNAL
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2017

Majority Leader Thomas moved the Senate adjourn until 2:00 p.m., Wednesday, February 1, 2017, the 23rd legislative day. Motion carried.

Senate adjourned at 2:18 p.m.

MARILYN MILLER
Secretary of the Senate

SCOTT SALES
President of the Senate